

**Remarks of
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FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
to the
OHIO TRUCKING ASSOCIATION & WEST VIRGINIA MOTOR TRUCK
ASSOCIATION
2004 CONVENTION
CHESTER, WEST VIRGINIA
SEPTEMBER 21, 2004**

On behalf of President Bush and Transportation Secretary Mineta, I want to thank you for inviting me to visit with you today. And I want to congratulate you for this first collaboration on your annual conference. This is a great show of partnership between your organizations.

Transportation Moving the Economy

While safety is our primary mission at the Federal Motor Carrier Safety Administration, getting the economy moving has always been, and remains, a top priority for the President and his entire team.

Our nation's economy is strong and getting stronger. We've added roughly 1.7 million new jobs in the last year. We're witnessing steady, consistent growth. We're seeing the economy's impact on commerce as well. The U.S. transportation system annually carries more than 16.3 billion tons of freight — valued at over \$12 trillion.

And, as the economy continues to take off, we project freight volume will increase by more than 50 percent in the next 20 years. While this growth is welcome, it brings with it a potential impact on safety.

Safety Goal

Safety is at the very HEART of our mission at the U.S. Department of Transportation and FMCSA. In 2003 we lost nearly 43,000 people on our nation's highways. Of that 43,000, nearly 5,000 deaths were related to commercial motor vehicles.

USDOT has a commitment to reduce the fatality rate in all motor vehicle crashes by 41 percent from 1996 to 2008. To reach this goal, we must take new approaches that help improve safety and security nationwide. And we must work with all of you in the motor carrier industry to reduce highway fatalities.

U.S. Route 33 Project

Partnership is imperative to our success — not just between FMCSA and the trucking industry, but between Federal and State governments, as well as local interests.

There's a great example here in West Virginia and Ohio. For about 30 years local officials and advocates have been pushing for the construction of a bypass on US Route 33 around the town of Nelsonville, Ohio.

This is a vitally important road that carries almost 1,700 trucks a day in some stretches, between Columbus and Charleston. It's one of the 8 busiest truck routes in Ohio. For years, truckers have had to negotiate the hazards and delays of heavy traffic hampered by narrowing lanes, vehicles entering from local roads and traffic signals — not to mention the small-town traffic in Nelsonville.

I'm happy to tell you good news about this project. Recently Secretary Mineta added the Nelsonville Bypass to DOT's list of Environmental Streamlining projects. This is a list of fast-track transportation projects that will get high-level attention across the federal government so that the decision-making process does not slow them down. As Secretary Mineta has said, something is broken when it takes 13 years to make a decision about a new road.

Thanks to the efforts of our colleagues in the Federal Highway Administration, an action plan is quickly coming together, and construction on the Nelsonville Bypass could begin as early as 2007. Completion is targeted for 2010.

Your drivers can rely on the safety and convenience of a modern, divided, 4-lane highway through this vital corridor. Again, it's a terrific demonstration of how DOT has partnered with the States to develop a program that will benefit an entire region — saving lives and improving the environment.

Hours of Service

Almost every group that I speak to is interested in one very important topic — hours of service. As you're aware, we're in the middle of a serious legal challenge to the new HOS rules, so I'm somewhat limited in what I can say.

Currently, the court is reviewing our motion for a stay that would allow FMCSA sufficient time to address and correct the concerns stated in the ruling. One issue raised by the court that we're already acting on is electronic on-board recorders, or EOBRs.

On September first, we began the rulemaking process with a notice requesting comments on their costs and benefits. Many of you make very good use of EOBRs. We want to know how. The technology has matured, and continues to change. So, your insights are valuable to us as we explore how to clarify the ways in which this technology can be applied.

All in all, the court's decision is drawing a lot of attention to the general issue of drivers' hours and fatigue. So, it's especially important that you ensure compliance with the regulations that apply. It's also vital for you to maintain strategies for managing fatigue for your drivers.

New Entrants

There are a few initiatives I want to mention this evening that directly impact your operations. The first is New Entrants. This program is mandated by statute.

It is vitally important to prepare New Entrants to trucking for safe and compliant operations. They inherently bring a high risk of crashes and fatalities because they aren't sufficiently knowledgeable about safety and compliance.

New motor carriers will be subject to an 18-month safety-monitoring period upon registering with FMCSA. All new carriers will receive a safety audit and have their roadside crash and inspection information closely evaluated. They must demonstrate that they are able to ensure basic safety management. This is critical, considering more than 40,000 to 50,000 new carriers are entering interstate commerce each year.

We continually look for ways to improve the program, both administratively and operationally, and seek your input in doing so.

Safety Performance History

The second initiative is a rule that took effect at the end of April. It will help carriers hire truck and bus drivers with the best possible safety records.

The rule requires employers to review candidates' safety records. And it requires former employers to make those records available within 30 days of an information request. It also allows prospective employers to obtain more complete driver performance information. This enables carriers to better assess the potential risks of prospective new hires.

Previous employers must go back three years to provide information about employees, including crash involvement, drug and alcohol violations, and rehabilitation efforts. The rule limits the liability of those required to provide and use driver safety information. And driver applicants have the right to review, correct or refute what's in their records.

Data Quality/SAFESTAT

Another initiative is data improvement. Our enforcement efforts rely heavily on high-quality data to better identify high-risk motor carriers for investigation.

Our objective here is to order poor and non-compliant safety performers out of service BEFORE they cause harm. The more complete, timely and accurate our data is — and the more efficient our data collection and access systems are — the better our ability to PREVENT violations and crashes.

Improving data poses many challenges. It requires a commitment by the industry, enforcement personnel and Federal agencies to ensure the data upon which we base our decisions is accurate and timely.

One of our primary tools for analyzing data — the Motor Carrier Safety Status Measurement System, or SafeStat — is only as good as the data it uses. By using a carrier's crash, inspection, enforcement, compliance review, and out-of-service data, it accurately identifies carriers that pose the greatest risk to safety.

However, it can be even better. Recently we assessed the quality of State safety data quality based on the timeliness, accuracy and completeness of crash and inspection information. Ohio and West Virginia, I am happy to say, do a very good job. Many other States must make significant improvements in these areas, and we're working with them to improve their data collection and reporting.

Additionally, we are looking at ways to improve the quality and timeliness of safety performance data within our own operations. We are particularly concerned about the crash data since it has great impact on carriers.

We have decided to temporarily remove the Accident Safety Evaluation Area, or SEA, and the overall SafeStat scores from our Web site. This will provide time for the accuracy and timeliness of crash reports to be improved.

The Accident SEA and SafeStat scores will be reposted as soon as we know the supporting data is accurate and uploaded on a timely basis. Carriers will still be able to access their own Accident SEA and overall scores in the interim. I encourage you to help us in this effort by working with the State to ensure the data is correct and timely.

Data Qs

We've backed up our commitment to data quality by giving you a better way to file concerns about Federal and State data released to the public by the agency. Carriers are an excellent check on the validity of the data in our system.

The system we use to check is called DataQs. The name comes from "data questions." It was built to expedite the consideration and resolution of data challenges. The Web-based system forwards data concerns to the appropriate State records office for resolution. And it tracks data concerns until resolved and assists FMCSA and States in generating responses to the challengers.

To find out more and to use Data Qs, log on to FMCSA's Web site, www.fmcsa.dot.gov.

Safety Belts

Next, I'd like to talk about safety belts. In 2003, 58 percent of those killed in passenger vehicles were not wearing safety belts. This underscores the value of the need for states to adopt standard safety belt laws.

The Bush Administration is proud that we have raised the national safety belt usage rate to 80 percent — the highest level ever. However, a recent study by our agency showed that only 48 percent of truck and bus drivers buckle up.

So, last December, Secretary Mineta gathered with enforcement and trucking leaders to launch the broadest effort this country has ever seen to get truckers to wear their safety belts. We would like to give specific thanks to Fred Burns and Governor Graves for the American Trucking Associations' strong support on this effort.

CSA-2010/Listening Sessions

Finally, I want to discuss an initiative FMCSA announced last month. Comprehensive Safety Assessment 2010 — or CSA 2010 — has the potential to prompt a major shift in the way we approach compliance and safe operations for motor carriers. The initiative is an effort where we really NEED and WANT your help.

Although we have made great strides in safety, we still face some serious challenges. The number of carriers continues to increase every year — a trend that will only accelerate as the economy continues to take off. The number of miles traveled by all carriers is likewise increasing — at a faster rate than passenger cars.

There are additional requirements relating to New Entrants, tighter security following 9/11, and the opening of the Southern Border under NAFTA. And while the demands are rising, our resources are likely to remain flat. Obviously, we will have to work harder and smarter to continue our progress in improving safety.

Therefore, we must look at EVERY tool in our toolbox — how we use them, how we can change them, and how we can add to them. This is especially critical because currently we're conducting roughly 12,000 compliance reviews per year — that's out of 670,000 companies that are registered in our database.

In order to address all these factors, we launched the Comprehensive Safety Analysis 2010. It's a multi-year project to thoroughly review how FMCSA can best monitor, assess and enforce the safety of the nation's motor carriers. And we're beginning not by talking, but by listening — to YOU.

Starting today, we're hosting the first of 6 listening sessions, to be held in cities across the country. We're asking motor carriers, insurance and safety advocacy groups, traffic enforcement professionals and the public for their views on the ideal ways to measure the safety of bus and truck operations and to take effective action.

We hope this will help us move toward a rulemaking change on how we assess carrier fitness. Today was the first session, in San Diego. The dates and locations of the upcoming listening sessions are:

- September 28th in Atlanta;
- October 5th in Mesquite, Texas, near Dallas — I will be attending that meeting;
- October 12th in Chicago;
- October 19th in Falls Church, Virginia — currently, Secretary Mineta is planning to attend this;
- and October 26th in Springfield, Massachusetts.

If you want to give us comments in writing, you can send them to us and we will incorporate them. This will be a great opportunity for you to help redesign our program to ensure it is even more effective in improving safety on our nation's highways.

Close

Remember that working together, we can all improve safety, prevent crashes and save lives. Thank you again for the opportunity to be here, and again, congratulations on your first joint conference.